



# Illinois Department of Transportation

Division of Highways / District 8  
1102 Eastport Plaza Drive / Collinsville, Illinois / 62234-6198

296042E

7000460

September 22, 2005

**COPY**

## GRADE CROSSING PROTECTION FUNDS

St. Clair County

Section 94-00244-03-GS

CH 19 (Mousette Lane) over KCS & UP Railroad

ICC Order T03-0059

**RECEIVED**  
SEP 26 2005

Mr. Darrell I. Cates, P.E.  
St. Clair County Engineer  
1415 North Belt West  
Belleville, IL 62226

Illinois Commerce Commission  
RAIL SAFETY SECTION

Dear Mr. Cates:

We have recently received the plans, specifications and estimate for the referenced project that were submitted in accordance with ICC Order T03-0059. As stated in the Agreement of Understanding between the County and the Department, executed on December 17, 2001, projects administered under Motor Fuel Tax policies and procedures do not require Department approval and supervision. A copy of the Agreement of Understanding has been forwarded to Mr. Michael Stead of the Illinois Commerce Commission.

After the County has approved the final plans, specifications and estimate for this project, please notify the ICC at the following address:

Mr. Michael Stead  
Rail Safety Program Administrator  
Illinois Commerce Commission  
527 East Capitol Ave.  
Springfield, IL 62794-9280

In addition, please send a copy of the correspondence to this office for our records. If you have any questions, please contact Mr. Jon Schaller of this office at (618) 346-3334.

Sincerely,

Mary C. Lamie, P.E.  
Deputy Director of Highways  
Region Five Engineer

Jennifer L. Obertino, P.E.  
District Engineer of  
Local Roads and Streets

JAS:mc:092205a

cc: Jeff Harpring  
Michael Stead - Illinois Commerce Commission



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

RECEIVED  
SEP 26 2005

Illinois Commerce Commission  
RAIL SAFETY SECTION

September 22, 2005

St. Clair County  
ICC Order T 03-0059

Mr. Michael Stead  
Rail Safety Program Administrator  
Illinois Commerce Commission  
527 East Capitol  
Springfield, Illinois 62794-9280

Dear Mr. Stead:

Page 4 of ICC Order T03-0059 states that the Illinois Department of Transportation "shall, within (30) days of their receipt of the aforesaid detailed cost estimates and final construction plans, furnish to the Commission a statement of their approval or disapproval". In accordance with the attached Department / County Letter of Understanding, cost estimate and plan approval for non-federally funded projects under the jurisdiction of St. Clair County fall under the authority of St. Clair County, rather than the Illinois Department of Transportation. A representative of our District 8 office has requested that St. Clair County notify the Illinois Commerce Commission upon approval by the County.

If you have any questions, please contact Jeff Harpring of this office at 217/785-8542.

Sincerely,

A handwritten signature in cursive script that reads "Charles J. Ingersoll".

Charles J. Ingersoll, P. E.  
Engineer of Local Roads and Streets

cc-

Mary Lamie Attn: Jennifer Obertino

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# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

December 17, 2001

St. Clair County  
Agreement of Understanding

Mr. Bob Delaney  
County Clerk  
10 Public Square  
Belleville, IL 62220

Dear Mr. Delaney:

The Agreement of Understanding was executed by the department on December 17, 2001. Your copy of the executed agreement is attached.

Sincerely,

Darrell W. McMurray, P. E.  
Engineer of Local Roads and Streets

By: Larry D. Houser  
Local Project Implementation Engineer

cc-  
Darrell Cates, County Engineer  
James L. Easterly Attn: Thomas Siekmann  
David G. Campbell Attn: Clarence Crowder  
Christine Reed Attn: Chuck Schmitt

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COUNTY  
AGREEMENT OF UNDERSTANDING  
MAINTENANCE AND CONSTRUCTION

This agreement, by and between the DEPARTMENT OF TRANSPORTATION, State of Illinois, hereinafter called the DEPARTMENT, and the COUNTY OF ST. CLAIR, of the State of Illinois, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the Illinois Highway Code provides that the DEPARTMENT, upon satisfying itself that the County Engineer's office in a county is adequately organized, staffed, equipped and financed to discharge satisfactorily the duties and requirements of Section 5-402, may grant a county permission to construct or maintain highways or sections thereof when such projects are financed in whole or in part with any funds received from the State except Federal-aid funds, without approval and supervision of the DEPARTMENT, providing the COUNTY will enter into an agreement of understanding with the DEPARTMENT, and;

WHEREAS, this agreement addresses the approval of County and Road District Motor Fuel Tax, Township Bridge, Township Bridge Lapse Pool, 80,000 Pound Truck Access Road, Economic Development, Conservation Access Road and any other road fund projects administered under Motor Fuel Tax policies and procedures, and;

NOW THEREFORE, for and in consideration of the covenants and agreements herein contained, the parties agree as follows:

**THE COUNTY AGREES:**

1. that it will maintain an adequate, fully staffed organization and will keep the DEPARTMENT currently advised of the organization and key staffing.

2. that it will effect a coordinated annual construction and maintenance program in accordance with the intent of the law;
3. that it will follow the procedure set forth in Section 5-403 and 6-701.1 of the Illinois Highway Code for the construction and maintenance of any highway;
4. that it will supply the **DEPARTMENT**, for record purposes, two copies each of the maintenance estimate, appropriation resolutions, road improvement statements, engineer's estimates, specifications, plans, changes in plans, contracts (if any), tabulations of bids, and a statement showing how the funds were expended upon completion of the work. Forms BLR 6303, Engineer's Final Payment Estimate and BLR 7201, Final Report, and the maintenance expenditure statement will be used for this purpose;
5. to obtain **DEPARTMENT'S** approval of all preliminary bridge design and hydraulic reports, bridge condition reports, plans and specifications for all bridges and culverts having a clear span of more than thirty (30) feet as required by Section 5-205.1 of the Illinois Highway Code;
6. to obtain all necessary environmental clearances and construction permits before advertising a project for letting or constructing the project with its own forces;
7. that plans for highway construction and maintenance work will be designed in accordance with the latest design policies adopted by the Bureau of Local Roads, and Streets. Modifications and design deviations proposed by the **COUNTY** must be approved by the **DEPARTMENT** through its District Engineer;
8. that plans and specifications will be prepared by a registered professional engineer or under his or her direct supervision. All plans shall bear the engineer's professional and structural seal as applicable;

9. to obtain the **DEPARTMENT'S** approval of plans and specifications for improvement of State Highways and appurtenances thereto prior to advertising for bids;
10. to obtain the **DEPATMENT'S** approval of all connections to the State Highway System;
11. that all right-of-way will be secured prior to advertising a project for letting, unless prior approval by the **DEPARTMENT** has been secured;
12. to advertise for bids and let contracts for maintenance or construction to the lowest responsible bidder, or with the concurrence of the **DEPARTMENT**, do the work itself through its officers, agents and employees;
13. that it will perform or cause to be performed construction and material inspections required in connection with its construction and maintenance projects using procedures acceptable to the **DEPARTMENT**. The **COUNTY** will document the inspections and make said documentation available to the **DEPARTMENT** at all times;
14. to withhold final payment to the contractor on construction projects involving State Highways and appurtenances until written certification is received that the work has been performed in accordance with the plans an specifications and accepted by the **DEPARTMENT**;
15. that it will make all records available to personnel of the **DEPARTMENT** for review and/or audit for a minimum of (3) three years after completion of the work;
16. that it will submit an annual report to the **DEPARTMENT** by February 1 of each year, listing the projects undertaken, a description of each project, the status of the projects, the amount and type of funds expended and a map showing the locations of the various projects for the previous calendar year;

17. that use of Motor Fuel Tax funds other than specified in this agreement will require approval by the **DEPARTMENT**.

**THE DEPARTMENT AGREES:**

1. that in view of the foregoing covenants, its approval and supervision of any activities related to construction and maintenance projects and expenditures funded by Motor Fuel Tax and any other road funds received from the State and administered under Motor Fuel Tax policies and procedures will not be required except as hereinabove specified.

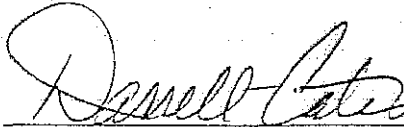
**IT IS MUTUALLY AGREED:**


1. that executed joint agreements between the **COUNTY** and **DEPARTMENT** will be required for all projects being funded with one or more of the following state funds:
  - A. Township Bridge Lapse Pool Funds.
  - B. 80,000 Pound Truck Access Road Funds.
  - C. Economic Development Funds.
  - D. Conservation Access Road Funds.
  - E. Any other state funded programs being administrated under Motor Fuel Tax policies and procedures except Motor Fuel Tax and Township Bridge funded projects.
2. that the provisions of this agreement shall not apply to any Federally-funded projects and/or state funded projects not administered under Motor Fuel Tax policies and procedures;
3. the **DEPARTMENT** may make periodic inspections of the jobsite, if it deems necessary, to satisfy itself that the work is being done in compliance with the plans, specifications and departmental procedures;

4. this agreement shall remain in full force and effect unless terminated by either party.
- This agreement shall be temporarily suspended during any period the COUNTY does not have a full time County Engineer.

Executed by the COUNTY this 29th day of October, 2001

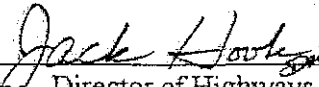
St. Clair County, State of  
Illinois, acting by and through its County Board

  
County Engineer

By   
Chairperson of the County Board

Executed by the DEPARTMENT this 17th day of Dec., 2001

STATE OF ILLINOIS, DEPARTMENT OF  
TRANSPORTATION

  
Acting Director of Highways



RESOLUTION #586-01-RT

WHEREAS, the State of Illinois, acting by and through it's Department of Transportation, has prepared an Agreement of Understanding for Maintenance and Construction with St. Clair County; and,

WHEREAS, the Illinois Highway Code provides that the Department of Transportation, upon satisfying itself that the County Engineer's Office in a County is adequately organized, staffed, equipped and financed to discharge satisfactorily the duties and requirements of Section 5-402, may grant a county permission to construct or maintain highways or sections thereof when such projects are financed in whole or in part with any funds received from the State except Federal-Aid funds, without the approval and supervision of the department, providing the county will enter into an agreement of understanding with the department; and,

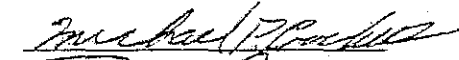
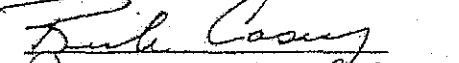

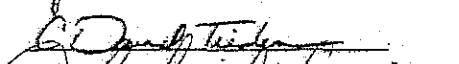

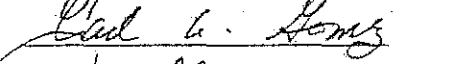
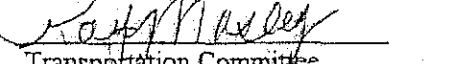
WHEREAS, this agreement addresses the approval of County and Road District Motor Fuel Tax, Township Bridge, Township Bridge Lapse Pool, 80,000 pound Truck Access Road, Economic Development, Conservation Access Road and any other road fund projects administered under the Motor Fuel Tax policies and procedures; and,

WHEREAS, the County agrees to abide by the terms and stipulations set forth in said Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the County Board be and he is hereby authorized and directed to execute said agreement in behalf of the County; and,

BE IT ALSO RESOLVED, that the County Clerk is hereby directed to transmit four (4) certified copies of this resolution and four (4) copies of said Agreement, executed by the Chairman of the County Board, to the Illinois Department of Transportation, Division of Highways, through its District Engineer's Office at Collinsville, Illinois.

Respectfully submitted

  
  
  
  
  
  
  
Transportation Committee

APPROVED AND ADOPTED at a meeting of the County Board of St. Clair County, Illinois, this 29<sup>th</sup> day of October, 2001

ATTEST:

  
County Clerk

  
County Board Chairman